

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Praveen SHARMA et al

Conf. No.: **0000**

DIVISIONAL

Appln. No.: **of 09/429,003**

Group Art Unit: **1634**

Filed: **December 5, 2003**

Examiner: **Switzer, J.**

For: **METHOD OF PREPARING A STANDARD DIAGNOSTIC
GENE TRANSCRIPT PATTERN**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which are all the references of record in Parent Application No. 09/429,003. Applicants are not submitting duplicate copies of these references, but requests that they be listed on the face of any patent granted on the above application (see 37 C.F.R. §1.98(d)).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 5, 2003

Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	DIV of USSN 09/429,003
Sheet 1 of 2				Confirmation Number	0000
				Filing Date	December 5, 2003
				First Named Inventor	Praveen SHARMA et a;
				Art Unit	1634
				Examiner Name	Switzer, J.
				Attorney Docket Number	Q-65721

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,633,137		05/27/1997	Paul
		US 4/981,783		01/01/1991	Augenlicht
		US 5,677,125		10/14/1997	Holt
		US 5,874,219		02/23/1999	Rava
		US 5,545,531		08/13/1996	Rava
		US 5,925,525		07/20/1999	Fodor
		US 8,871,928		02/16/1999	Fodor
		US 5,800,992		09/01/1998	Fodor
		US 5,994,076		11/30/1999	Chenchik
		US 6,004,755		12/21/1999	Wang
		US 6,040,138		03/21/2000	Lockhart
		US 6,066,453		05/23/2000	Pinkel

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	93/18143		09/16/1993		
		GB	2660811		04/28/1993		
		WO	95 20681		08/03/1995		
		EP	0 534 640		03/31/1993		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Enderlin et al, <i>FEBS Letters</i> , 412:629-632 (1997)	
		Schena et al, <i>Proc. Natl. Acad. Sci., USA</i> , 93:10614-10619 (1996)	
		Lonneborg et al, PCR Methods and Applications: Construction of Subtractive cDNA Library Using Magnetic Beads and PCR, Cold Spring Harbor Laboratory, pages 4:S168-S176 (1995)	
		Zhi-Xin et al, <i>Zhongguo Zhongliu Lichung</i> , pgs 243-246 (1996)	Abstract
		Schena et al, <i>BioEssays</i> , 18(5):427-431 (1996)	
		Knöll et al, <i>BioChem. and Biophys. Res. Comm.</i> , 221:402-407 (1996), Article No. 0608	
		Jonas et al, <i>Gut</i> , 39:717-721 (1996)	
		Krüger et al, <i>J. Cancer Res. Clin. Oncol.</i> , 122:679-686 (1996)	
		Shalon et al, <i>Genome Research</i> , 6:639-645 (1996)	
		Understanding the GEM Solution: Building a GEM Library, www.synteni.com/gemsol1.htm (1997)	
		Understanding the GEM Solution: Building a GEM Library, www.synteni.com/gemsol2.htm (1997)	
		Understanding the GEM Solution: Building a GEM Library, www.synteni.com/gemsol3.htm (1997)	
		Sample GEM Data, www.synteni.com/sample.htm (1997)	
		Shena et al, <i>Science</i> , 270(5235):467-470 (1995)	
		Heller et al, <i>Proc. Natl. Acad. Sci., USA</i> , 94:2150-2155 (1997)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.

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				Art Unit	1634	
Examiner Name	Switzer, J.					
Attorney Docket Number	Q-65721					
Sheet	2	of	2			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 6,190,857		02/2001	Ralph et al
		US 5,830,645		11/1998	Pinkel et al

FOREIGN PATENT DOCUMENTS							
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	00/24940		05/04/2000		Abstract
		WO	99/49083		09/30/1999		Abstract
		WO	00/04187		01/27/2000		Abstract
		WO	00/14281		03/16/2000		Abstract
		WO	00/22168		04/20/2000		Abstract
		WO	00/22172		04/20/2000		Abstract
		WO	00/26412		05/11/2000		Abstract
		EP	0 408 918		01/23/1991		
		WO	97/22720		06/26/1997		
		WO	97/27317		07/31/1997		
		WO	97/29212		08/14/1997		
		WO	98/08083		02/26/1998		
		WO	99/06831		02/11/1999		
		WO	99/44062		09/02/1999		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Sato et al, <i>Acta Neurol. Scand.</i> , <u>91</u> :165-168 (1995)	
		Buckland et al, <i>Molecular Brain Research</i> , <u>18</u> :316-320 (1993)	
		Ditkoff et al, <i>Surgery</i> , <u>120</u> (6):959-965 (1996)	
		Graber et al, <i>Annals of Surgical Oncology</i> , <u>1</u> (2):192-197 (1996)	
		Wadhwa et al, <i>Molecular Biotechnology</i> , <u>6</u> :213-217 (1996)	
		Stratagene Catalog, page 39 (1998)	

Examiner Signature	Date Considered
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